

VZCZCXRO4139
OO RUEHTRO
DE RUEHC #0774/01 0362052
ZNR UUUUU ZZH
O P 052036Z FEB 09
FM SECSTATE WASHDC
TO RUEHAK/AMEMBASSY ANKARA IMMEDIATE 7038
RUEHBJ/AMEMBASSY BEIJING IMMEDIATE 5587
RUEHHI/AMEMBASSY HANOI IMMEDIATE 8568
RUEHKM/AMEMBASSY KAMPALA IMMEDIATE 5239
RUEHLO/AMEMBASSY LONDON IMMEDIATE 2008
RUEHME/AMEMBASSY MEXICO IMMEDIATE 8443
RUEHMO/AMEMBASSY MOSCOW IMMEDIATE 7494
RUEHOU/AMEMBASSY OUAGADOUGOU IMMEDIATE 8099
RUEHFR/AMEMBASSY PARIS IMMEDIATE 2756
RUEHSJ/AMEMBASSY SAN JOSE IMMEDIATE 0072
RUEHKO/AMEMBASSY TOKYO IMMEDIATE 7649
RUEHVI/AMEMBASSY VIENNA IMMEDIATE 7289
RUEHVB/AMEMBASSY ZAGREB IMMEDIATE 2162
RUEHTRO/AMEMBASSY TRIPOLI IMMEDIATE 5482
RUCNDT/USMISSION USUN NEW YORK IMMEDIATE 4739
INFO RUEHVEN/USMISSION USOSCE PRIORITY 7541
RUEHBS/USEU BRUSSELS PRIORITY
RUEHNO/USMISSION USNATO PRIORITY 4046
RUEHUNV/USMISSION UNVIE VIENNA PRIORITY 4460

UNCLAS SECTION 01 OF 03 STATE 010774

SENSITIVE
SIPDIS

E.O. 12958: N/A

TAGS: [PARM](#) [PREL](#) [AORC](#) [KPAO](#) [PTER](#) [UNSC](#)

SUBJECT: DEMARCHE TO SECURITY COUNCIL ON UNSCR 1540 -
PROGRAM OF WORK (POW)

REF: A. 08 STATE 100866
[1](#)B. 08 LONDON 3041
[1](#)C. USG EDITS TO DRAFT POW
[1](#)D. NONPAPER EXPLAINING NEED FOR ROBUST POW

SENSITIVE BUT UNCLASSIFIED -- PLEASE PROTECT ACCORDINGLY

[1](#)1. (U) This is an action request. Bearing in mind para 3 objectives, USUN and other action addressees are asked to deploy para 6 suggested text in combination with REFS C and D to delegations and host governments as appropriate in order to permit a robust Program of Work (POW) for the UNSCR 1540 Committee.

[1](#)2. (U) Background: UNSC Resolution 1810 requires the 1540 Committee to adopt a new POW by January 31. Committee edits received January 14 did not meet agreed U.S. objectives from mid-2008 (see REF A). USG revisions to the work program were introduced by USUN to the UK, who have the lead, on January [1](#)20. At the time, the United States made clear that objected to the January 14 edits as adopting a minimalist position and that the work program would not be adopted without the inclusion of specific thematic and technical elements that would ensure the Committee is capable of taking action worldwide on the prevention of WMD proliferation through implementation of UNSCR 1540. Negotiations have continued beyond the January 31 deadline and the Committee has agreed to an extension until February 20. End background.

OBJECTIVES FOR ENGAGING SECURITY COUNCIL MEMBERS

[1](#)3. (SBU) In pursuing this request, Washington requests that action addressees pursue the following objectives:

-- Demarche host nation and express commitment to securing a Program of Work (POW) including the USG-proposed elements.
Note for Post only: This was our agreed position as coordinated with P3 (see REF B). End note for Post only.

-- Confirm host nation understanding that the USG edits to

the January 14 text are the best way forward and are reflective of positions expressed by those countries interested in technical assistance that 1540 efforts should be better coordinated and more inclusive.

-- Confirm host nation acknowledgment that the United States will seek further extension if an agreement on a POW enabling a more robust Committee structure is not reached by the new UNSC reporting deadline of February 20.

-- (For USUN, Beijing, and Moscow only) Achieve Chinese and Russian co-sponsorship of POW and recognition that the current delay is essential to reinforcing the language previously introduced and agreed to in UNSCR 1810 -- which P5 co-sponsored.

¶4. (U) Reporting deadline: Action addressees are requested to deliver the demarche during the week of February 9 and report results NLT February 16, 2009 via front channel cable.

ADDITIONAL BACKGROUND FOR POSTS

¶5. (SBU) Washington seeks support for a 1540 Committee POW that addresses the following broad priorities) in particular by outlining clear deadlines and working groups to

STATE 00010774 002 OF 003

accomplish these objectives) this is Annex A to the POW.

Priority 1: Developing useful information to identify gaps in laws. The Committee should be more than a collection box of information. A key requirement for the Committee should be to undertake assessments of the reports submitted, identify gaps in states, capacities as well as any pattern of deficiencies among states and across regions, and begin to prioritize steps that States should take to meet their commitments. While these would not be binding recommendations, they could help shape states, approaches to implementing the resolution's requirements and focus the Experts. This kind of analysis would be of use to potential donors in assessing where funding is needed and in planning assistance programs.

Priority 2: Outlining regional and state-specific assistance priorities for stemming proliferation activity. Given the Committee's work, it is uniquely situated to make assessments regarding regions or states most in need of assistance programs because their legal and regulatory controls are particularly lacking or there is greater proliferation activity in their region or territory. Committee assessments are not binding, but could provide useful input for donors to consider in making assistance decisions.

Priority 3: Assisting in the coordination of assistance requests so that donor states can work together to help states implement their 1540 obligations. While donors continue to make their own decisions regarding whether and how to provide assistance to states to implement their obligations under 1540, there is much the Committee can do to help donors coordinate on possible projects and help focus donors on priority gaps. The Committee could convene and chair meetings in which donor countries discuss their on-going assistance, highlight perceived gaps in aid, and share information or assessments regarding assistance.

TEXT OF PAPER TO SC MEMBERS FOR POSTS AND USUN

¶6. (U) Begin text. (Note. Posts should also attach REFS C and D emailed to Post. End note.)

UN Security Council Resolution (UNSCR) 1540 (2004) imposes obligations on all states to establish domestic controls to

prevent the proliferation of nuclear, chemical, and biological weapons, and their means of delivery. Resolution 1540 is an unprecedented initiative that bears great promise.

The 1540 Committee is beginning to carry out its new mandate contained in UN Security Council Resolution 1810 (2008) to further states, implementation of resolution 1540. We were surprised and disappointed that the latest revision of the 1540 Committee's Program of Work advocated few new ideas reflective of UNSCR 1810,s call to intensify Committee efforts for full implementation by all states.

The 1540 Committee's Program of work should highlight the importance of capacity building and a strengthened Committee.

The edited text we support does this, and also reflects positions expressed by reporting countries that a better coordinated and more inclusive approach is needed. This forward-looking approach is consistent with the commitments made in UNSCR 1810 as co-sponsored by the P5 and Croatia. We do not believe the POW as tabled on January 14 is sufficient, especially given growing and widespread international interest in implementing UNSCR 1540 through assistance and regional cooperation. The tasks in the POW should be a voice of encouragement to non-Security Council members and international groups working actively to support the resolution's implementation.

The Committee should work with states as a clearinghouse on

STATE 00010774 003 OF 003

assistance (using the information it has collected from states), and then set about the work of promoting capacity building. It is specifically for these reasons we are seeking an open, transparent process (such as "caucus" meetings) because we believe this would be a way of helping states meet their obligations and ensure that the assistance programs available have the most widespread availability for access.

We have repeatedly said that UNSCR 1540 is about raising the bar of standards, and is not about pointing fingers or singling out non-compliant states. We have fundamental agreement on the need to address nonproliferation seriously. We look for you to join us in supporting strong action on UNSCR 1540, commensurate with the rhetorical support our countries have given to the Resolution. We look forward to discussing with you at the earliest opportunity the revisions in the attached draft and the accompanying paper that outlines our thoughts on why these elements are important.

End draft demarche text.

POINT OF CONTACT

17. (U) Further questions or information on UNSCR 1540 can be directed to Tom Wuchte, U.S. 1540 Coordinator. Washington appreciates Posts' assistance.
CLINTON